IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No.60199-M of 2006

DATE OF DECISION:17.11.2006

Jagtar Singh .....Petitioner

Versus

State of Punjab .....Respondent

CORAM:- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present:- Shri Ritesh Pandey, Advocate
for the petitioner.

Shri N.S.Gill, AAG, Punjab.

****

Petitioner Jagtar Singh apprehending his arrest in a non-bailable offence in case FIR No.186 dated 5.7.2006 registered under Sections 420/170/120-B IPC and Section 13(1)(d) read with Section 13(2) of the Prevention of Corruption Act at Police Station City, Batala, Distt. Gurdaspur, has filed this petition under Section 438 Cr.P.C for grant of anticipatory bail.

I have heard counsel for the parties and gone through the contents of the FIR.

Counsel for the petitioner contends that in the aforesaid FIR, Harwinder Singh was specifically named. During the investigation, it came to the knowledge that Harwinder Singh and Palwinder Singh came to collect the money from the person in a vehicle, which was being driven by the petitioner. The petitioner was not specifically named in the FIR. During the investigation, only it was alleged that he was simply a driver of the vehicle and there is no allegation that he had taken the money.

Counsel for the petitioner contends that in view of the order dated 28.9.2006, the petitioner has joined the investigation. Counsel for the

respondent- State on instructions from SI Gurmeet Singh does not dispute this fact and further states that the petitioner is no more required for custodial interrogation.

In view of the above, the interim bail, granted vide order dated 28.9.2006 is made absolute subject to the same terms and conditions.

This bail order shall remain in operation till the investigation culminates into filing of challan under Section 173 Cr.P.C. except for material change in the circumstances. Thereafter the petitioner shall be entitled to the grant of regular bail by the trial Court and the same shall further continue till conclusion of the trial on the conditions to be imposed by the court of competent jurisdiction.

Disposed of accordingly.

November 17, 2006 **(SATISH KUMAR MITTAL)**
pooja **JUDGE**